

_____, 2017

**NOTICE AUTHORIZED BY JUDGE SARA LIOI
OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

- TO: Present and Former Hourly Employees of American Medical Personnel, a/k/a New Work City, Inc. and Gladstone Headquarters, Inc., who were Employed as STNAs, LPNs or other Similar Job Titles.
- RE: Your right to join a collective action seeking to recover unpaid wages and unpaid overtime compensation

1. WHAT IS THIS ABOUT?

Plaintiffs Jasmine Diaz, Jasmine Jones, and Constance Shannon (the “Plaintiffs”) have brought a lawsuit against American Medical Personnel, officially known as New Work City, Inc., and Gladstone Headquarters, Inc., and its owner. They claim that the company did not pay them, as well as other similarly situated employees, all of their wages and/or overtime compensation due under the Fair Labor Standards Act (“FLSA”). Plaintiffs are seeking unpaid wages, unpaid overtime compensation, liquidated damages, attorney’s fees, and costs under the FLSA.

Plaintiffs were employed by American Medical Personnel. They state that they were not paid compensation for hours worked over forty (40) hours at their lawful overtime rate. In other words, Plaintiffs claim that they were not paid time and one-half for all overtime hours. Plaintiffs also claim that they were not paid for travel time between client facilities of American Medical Personnel, which resulted in violations of the FLSA. American Medical Personnel contends it has properly paid its employees.

The Court has not yet decided whether Plaintiffs or American Medical Personnel are correct. The right to recover these wages for any Plaintiff has not been established and is not guaranteed.

2. WHY AM I GETTING THIS NOTICE?

You received this notice because you have been identified as having worked at some point at American Medical Personnel on or after September 19, 2013. The court ordered this notice sent to you because you are eligible to join this lawsuit. The Court will ultimately decide the merits of this case, and how much, if any, unpaid wages and damages will be awarded to the employees who participate.

3. HOW DO I JOIN THIS CASE?

To join this collective action, you must sign and return the enclosed “Consent Form.” You can return the Consent Form by: (a) mailing it to Plaintiffs’ counsel in the self-addressed and postage-prepaid envelope included with this Notice; (b) faxing the form to

Plaintiffs' counsel at (440) 846-1625; or (c) scanning the form and emailing it to Plaintiffs' counsel at kevin@mcdermottattorney.com.

4. WHAT IS THE DEADLINE TO JOIN?

The signed Consent Form must be postmarked, faxed or emailed by_____. It is important that you return the Consent Form as soon as possible because the time period for which you can seek payment for your unpaid wages will depend on when this form is filed with the Court. If you lose or misplace the enclosed Consent Form, or if you have any questions about filling out or returning the Consent Form, you may still contact Plaintiffs' counsel listed in paragraph 9 of this Notice.

5. WILL THIS COST ME ANYTHING?

No. If you return the "Consent To Participate" form by the time stated above, you may be entitled to recover unpaid wages, overtime pay, and damages, as described above. You will not, however, be responsible out of pocket for any of the attorney fees, court costs, or anything else. Those are paid only from any recovery obtained in the case from Defendants.

6. WHAT HAPPENS IF I JOIN OR DO NOT JOIN THIS CASE?

If you join this case, you will be bound by any judgment of the court, whether favorable or unfavorable. You will be bound by, and will be given your appropriate share of unpaid wages, plus any other damages the court may award or settlement thereof on behalf of the employee class members.

If you choose not to join this lawsuit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. You will not be entitled to share any amounts recovered by the class. You will be free to file your own lawsuit. However, the statute of limitations will not stop running for any wage/overtime claims you might have unless you join.

7. DO I NEED TO HIRE A LAYWER?

No. If you are part of the case, you are represented by the attorneys of the Scott & Winters Law Firm, and attorney Kevin M. McDermott II, who represent the named Plaintiffs. If you join this matter, you may enter a contingency fee agreement with Plaintiffs' counsel, which means that if there is no recovery, there will be no attorneys' fees or costs that are chargeable to you. If there is a recovery of wages, liquidated damages, and/or attorneys' fees and costs, the contingency fee percentage payable to Plaintiffs' counsel will be 33 1/3% of your total recovery. However, if your current/former employer agrees to or is ordered to pay an amount of attorneys' fees and costs that equals or exceeds the amount owed under the contingency fee, Plaintiffs'

counsel will accept that amount, and Plaintiffs' counsel will not be paid any percentage of your recovery.

8. NO LEGAL EFFECT OF NOT JOINING THIS ACTION

If you choose not to join this action, you will not be bound by any judgment or settlement, whether favorable or unfavorable, and you will not share in any recovery. You will be free to file your own lawsuit; however, the pendency of this action will not stop the running of the statute of limitations as to any claims you may have until you file your own lawsuit.

9. YOUR LEGAL REPRESENTATION IF YOU JOIN

If you participate in this action, you will be represented by:

Joseph F. Scott (Ohio Bar No. 0029780)
Ryan A. Winters (Ohio Bar No. 0086917)
SCOTT & WINTERS LAW FIRM, LLC
815 Superior Ave. E. Ste. 1325
Cleveland, OH 44114
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Fax (216) 621-1094
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and

Kevin M. McDermott II (Ohio Bar No. 0090455)
MCDERMOTT LAW LLC
11925 Pearl Road, Ste. 310
Strongsville, Ohio 44136
Tel. (216) 367-9181
Fax (440) 846-1625
kevin@mcdermottattorney.com

10. FURTHER INFORMATION

Further information about this Notice or the action may be obtained from Plaintiffs' counsel at (216) 367-9181. The call is free and confidential.

THIS NOTICE HAS BEEN AUTHORIZED BY JUDGE SARA LIOI OF THE NORTHERN DISTRICT OF OHIO FEDERAL DISTRICT COURT. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFFS' CLAIMS OR OF DEFENDANTS' DEFENSES.